

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICKY LEE MARTIN,

Plaintiff,

v.

UNKNOWN RANDALL, et al.,

Defendants.

File no: 1:22-cv-123

HON. ROBERT J. JONKER

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on January 19, 2024 (ECF No. 45). The Report and Recommendation was duly served on the parties. No objections have been filed under 28 U.S.C. § 636(b)(1)(C).

ACCORDINGLY, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 45) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that defendants' motion for partial summary judgment (ECF No. 29) is **GRANTED** as to Claims III, IV and VI, and defendant Roberts is **DISMISSED** from this action.

IT IS FURTHER ORDERED that defendants' motion is **GRANTED** as to the April 3, 2021 incident which is part of Claim I.

IT IS FURTHER ORDERED that defendants' motion is **DENIED** as to Claims II and V.

IT IS FURTHER ORDERED that defendants' motion is **DENIED** as to the April 12,

2021 incident which is part of Claim I.

Dated: February 15, 2024

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE